

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

— v. —

BRIAN SWIENCINSKI,
SCOTT BREIMEISTER,
CHRISTOPHER INCE, M.D.,
RONNIE MCADA, JR.,

Defendants.

No. 4:18-cr-00368

**DEFENDANT BRIAN SWIENCINSKI’S MOTION
FOR LEAVE TO FILE EXTENDED BRIEFING**

Defendant Brian Swiencinski filed a motion to dismiss the superseding indictment and for other relief. *See* Dkt. 439. The government filed a response in opposition totaling 35 pages—in excess of the maximum of twenty pages ordinarily permitted. *See* Dkts. 460, 461 (government’s motion for leave to file extended briefing, and response to motion to dismiss). The motion to dismiss, and the government’s response, involve important and factually detailed issues. Defendant Swiencinski intends to file his Reply today. To thoroughly address the important issues involved, and adequately respond to the government’s (lengthy) opposition brief, Mr. Swiencinski respectfully requests leave of the Court to file a reply that is over five pages in length. *See* Court Procedures and Practices, Part B.5.f. Mr. Swiencinski anticipates that his reply will total no more than 14 pages.

Dated: April 19, 2023

Michael A. Villa, Jr. (Bar No. 24051475)
MEADOWS, COLLIER, REED,
COUSINS, CROUCH & UNGERMAN, LLP
901 Main Street, Suite 370
Dallas, TX 75202
(214) 744-2700
mvilla@meadowscollier.com

Scottie D. Allen (admitted *pro hac vice*)
THE ALLEN LAW FIRM
4144 N. Central Expressway
Suite 650
Dallas, TX 75204
(214) 824-7711
scottiedallen@scottiedallenlaw.com

Respectfully submitted,

/s/ Brandon McCarthy
Brandon McCarthy (Bar No. 24027486)
Rachel M. Riley (Bar No. 24093044)
KATTEN MUCHIN ROSENMAN LLP
2121 N. Pearl Street, Suite 1100
Dallas, TX 75201
(214) 765-3600
brandon.mccarthy@katten.com
rachel.riley@katten.com

Mary C. Fleming (admitted *pro hac vice*)
KATTEN MUCHIN ROSENMAN LLP
2900 K Street NW, North Tower - Suite 200
Washington, DC 20007
(202) 625-3754
mary.fleming@katten.com

Attorneys for Brian Swiencinski

CERTIFICATE OF CONFERENCE

On April 19, 2023, counsel for Mr. Swiencinski conferred with counsel for the United States. Counsel for the United States has stated they do not object to the instant motion.

/s/ Brandon McCarthy
Brandon McCarthy

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing Motion for Leave to File Extended Briefing, to be served on all counsel of record by filing it with the Clerk on April 19, 2023, using the Court's CM/ECF System.

/s/ Brandon McCarthy
Brandon McCarthy